

# BLANKROME

1271 Avenue of the Americas | New York, NY 10020  
blankrome.com

Mara B. Levin | Partner

Landline: (212) 885-5292

Mobile: (917) 656-4656

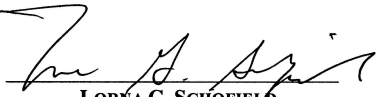
Fax: (917) 332-3778

Email: [mara.levin@blankrome.com](mailto:mara.levin@blankrome.com)

Application **GRANTED**. The preliminary injunction hearing, scheduled for June 24, 2024, and all pre-hearing deadlines are **adjourned sine die**. The parties shall file a joint letter informing the Court of the status of the mediation **when it concludes or on July 2, 2024, whichever is sooner**. A referral to Judge Tarnofsky will be separately filed.

Dated: June 11, 2024

New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

**BY ECF**

June 11, 2024

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *New York City Transit Authority v. Westfield Fulton Center LLC, Case No. 24-cv-1123 (LGS)*

Dear Judge Schofield:

Pursuant to the Court's Order (ECF No. 74), Defendant Westfield Fulton Center LLC ("Westfield") and Plaintiff New York City Transit Authority ("NYCTA") submit this joint letter to provide updates on two issues. First, on June 10, 2024, Westfield advised NYCTA that it would not be calling Marco Maldonado as a witness at the June 24, 2024 Preliminary Injunction Hearing (the "Hearing"). Second, Westfield and NYCTA consent to engage in mediation before Magistrate Judge Tarnofsky prior to the Hearing. The parties respectfully ask that Your Honor adjourn the Hearing and suspend or stay any discovery or Hearing-related deadlines so the parties can meaningfully engage in mediation. The parties will promptly reach out to the Court to schedule a hearing on NYCTA's motion for a preliminary injunction and reinstate discovery in the event the parties are unable to resolve the matter through mediation.

Respectfully submitted,

/s/ Mara B. Levin  
Mara B. Levin